## USF RED STAR LLC'S RESPONSES TO USEPA'S 104(E) REQUEST FOR INFORMATION

This document constitutes the objections and responses of USF Red Star LLC's response to the United States' Environmental Protection Agency's ("USEPA") Request for Information issued to YRC Worldwide Inc. (n/k/a Yellow Corporation) ("Yellow") and YRC Enterprise Properties ("Request"). On June 17, 2021, counsel for USF and Yellow corresponded with Amelia Wagner at USEPA and secured a 30-day extension. The response is now due August 17, 2021. Subsequently, on July 20, 2021, counsel for USF Red Star LLC and Yellow called and left Ms. Wagner a message explaining that neither entity ever owned nor operated property at 378-544 Delancy Street, Block 5038, Lot 76 in Newark, New Jersey. USF Red Star LLC, however, owned property located at 400 Delancy Street, Newark, New Jersey (the "Property"). The legal description of the Property owned by USF Red Star LLC is contained in the deed discussed in Response to Request No. 2. USF Red Star LLC was a subsidiary of a subsidiary of Yellow. As a result, counsel requested that USEPA either send a new Request to USF Red Star LLC or allow it to respond as if the Request had been sent to USF Red Star LLC

On July 22, 2021, Ms. Wagner responded stating that the Response could be filed by USF Red Star LLC in lieu of Yellow. USF Red Star LLC ("USF") and Yellow hereby reserve all rights and deny any and all liability. YRC Enterprise Properties does not exist. This submission should be deemed as a response only from USF and not any related entity.

### GENERAL OBJECTIONS

1. USF objects to the Request as vague, ambiguous and seeking information not reasonably calculated to lead to the discovery of admissible evidence.
2. USF objects to the Request as seeking privileged information.
3. USF objects to the Request as calling for legal conclusions.
4. USF objects to the fact that the Request was sent to Yellow and YRC Enterprise Properties. Yellow has no direct connection to the Property and YRC Enterprise Properties does not exist.
5. USF objects to the fact that the Request seeks information not within its possession, custody or control.
6. USF objects to the extent the Request is unduly burdensome.

### SPECIFIC RESPONSES

Each of the following responses incorporates by reference the General Objections set forth above.

***1. Please answer the following question with respect to USF.***

***a) State the legal name of USF***

USF is USF Red Star LLC.

***b) State the name and address of the president and chairman of the board, or other presiding officers of USF.***

USF objects to this Request as vague and ambiguous as to the term "other presiding officers" and seeking irrelevant and confidential, private personal information. Subject to and without waiving these and its General Objections, USF states that it has not operated since 2004 and has no current President.

c) ***Identify the state of incorporation of USF, and USF's agent for service of process in the state of incorporation and in New Jersey.***

Subject to and without waiving its General Objections, USF states that it is not a corporation, but a Delaware LLC . The address of its registered office in the State of Delaware is Corporation Trust Center, 1209 Orange Street, in the City of Wilmington, County of New Castle, Delaware 19801. The name of its registered agent at such address is The Corporation Trust Company. USF's registered agent in New Jersey is CT Corporation System 820 Bear Tavern Road West Trenton, NJ 08628.

d) ***State whether USF is a subsidiary or affiliate of another company or has been acquired and/or merged with another corporate entity. If USF is a subsidiary of another entity, please provide a chart that details the corporation relationship between USF and all intermediary entities to the ultimate corporate parent. For purposes of this information request, "ultimate corporate parent," is to be the corporate entity that while owning or controlling the majority of share of common stock in a subsidiary corporation, is not primarily owned or controlled by another corporation. Please identify the name of each entity in the chart. For each related entity, described the relationship to USF and indicate the date and manner in which each relationship was established . Additionally, please provide the name and address of the president(s) or chairman(s) of the board, or other president officers who had knowledge of the relationship between USF and the related corporate entity.***

USF objects to this Request as irrelevant, overbroad, unduly burdensome and seeking privileged and confidential, private personal information. USF also objects to the meaning of "ultimate corporate parent," "controlling the majority of share of common stock" and "other presiding officers" as being vague, ambiguous and, in some instances, inconsistent with the law. Subject to and without waiving these and its General Objections, USF states that YRC Worldwide Inc. is now Yellow Corporation. YRC Regional Transportation, Inc. is a wholly owned subsidiary of Yellow Corporation (f/k/a YRC Worldwide Inc.). USF Red Star LLC is a non-operating subsidiary of YRC Regional Transportation, Inc.

Yellow acquired USF Corporation in May 2005. At that time, USF Red Star Inc., a New York corporation, was owned by USF Corporation. In July 2005, USF Red Star LLC was formed and USF Red Star Inc. merged into USF Red Star LLC. Upon Yellow's acquisition of USF Corporation, USF Corporation's name was changed to YRC Regional Transportation, Inc., and became a wholly-owned subsidiary of Yellow. YRC Regional Transportation, Inc. then became the parent of USF Red Star LLC. YRC Regional Transportation, Inc. remains as the holding company for USF Red Star LLC. The President of Yellow is Darrell Harris. His office address is 10990 Roe Ave, Overland Park, KS 66211.

***2. During which years did USF own and/or operate at the Property?***

- ***a) From whom did USF purchase the Property from and in which year?***
- ***b) To whom did USF sell the Property to and in which Year?***
- ***c) Please provide a copy of USF's deed or deeds to the Property as well as any other documents of sale. If the Property was held in the name of another entity, please provide the name of that entity, its relationship to USF and list the company president or chairman of the board or other presiding officers of that company.***
- ***d) Please describe the relationship, if any, between USF and any parties that operated at the Property prior to USF.***
- ***e) If this information has not been already provided in your responses to the questions above, please describe how your company is or was connected to the Property and if your company has or had any relationship with USF.***
- ***f) If you did not own the Property during the entire time it operated there, identify the entity from whom USF leased or rented the Property. Please provide copies of any lease or rental agreements.***
- ***g) If USF lease or rented the Property to another party please provide a list of all past and current tenants and the nature of each tenant's business as well as their activities performed at the Property.***

USF objects to Request No. 2 as irrelevant, overbroad, unduly burdensome, seeking privileged information and information outside its custody and control. USF also objects to the meaning of "other presiding officers" as being vague and ambiguous. Subject to and without waiving these and its General Objections, USF states that according to public records, Red Star Express Lines of Auburn, Inc. (which later became USF Red Star Inc. and is now known as USF Red Star LLC) obtained property located at Block 5038, Lot 76 from Englehard [possibly Engelhard] Corporation on October 1, 1982, and conveyed it to Pimentel Investments, Inc. on December 31, 2003. It appears that Englehard retained property to the south. The relevant documents can be viewed at https://press.essexregister.com/prodpress/clerk/ClerkHome.aspx?op=basic. For purposes of this Response, USF will assume that this is the deed found online is for the Property. The deed can be viewed at the website above as Instrument 951216, Book 6034 page 572. USF is unaware of any relationship between it and Englehard Corporation. Neither YRC Regional Transportation, Inc. nor Yellow ever owned or operated at the Property. USF is unaware of any third-party leases.

***3. Please describe the environmental conditions and any remediation efforts, whether completed or still ongoing, at the Property during the time USF operated there. Provide any documentation, information, and sampling data related to these conditions and/or remediation efforts at the Property.***

Subject to and without waiving its General Objections, USF states that its former Property consisted of a terminal building with loading docks, warehouse, storage yard, and a truck maintenance building. A 1996 Site Investigation report noted the Property is surrounded by confirmed pollution point and non-point sources such as Oak Island Junction – Conrail switching location, several chemical industries, auto salvage

yards, a sewage disposal facility, oil storage/transportation companies, and the Conrail Brills Yard Transportation switching network.

Several phases of environmental investigation, characterization, and remediation have occurred beginning in 1994. During these efforts, a total of six (6) environmental Areas of Concern (AOCs) were identified:

- AOC 1: Fueling Area - fuel dispenser Island, five 20,000-gallons diesel underground storage tanks (USTs), six 1,000-gallon gasoline USTs, three 1,000-gallon diesel fuel USTs, and three 4,000-gallon diesel fuel USTs;
- AOC 2: Maintenance Garage - one 3,000-gallon No. 2 Fuel Oil UST;
- AOC 3: Maintenance Garage – one 2,000-gallon new motor oil UST and one 1,000-gallon waste oil UST;
- AOC 4: Terminal Building – one 15,000-gallon vaulted No. 4 Fuel Oil UST;
- AOC 5: Historic Fill; and
- AOC 6: Groundwater Impacts related to historic fill and UST release.

It should be noted that no releases at the Property of anything other than petroleum, which is excluded from CERCLA, have been detected. Metals, PAHs, and PCBs were found in historic fill. Bis(2-ethylhexyl)phthalate was detected in Property monitoring wells, but it is not associated with the type of activities conducted by USF (i.e. freight warehousing and trucking) and is not known to have been used, handled, stored or disposed at the Property.

NJDEP approved a deed restriction due to the historic fill. There is no evidence that the petroleum ever left the Property boundaries.

AOC 1

During UST piping upgrades in September 1994, 12 leaking USTs (six 1,000-gallon gasoline USTs, three 1,000-gallon diesel fuel USTs, and three 4,000-gallon diesel fuel USTS) were reported at AOC 1 and the release was assigned NJDEP case number 94-09-15-1618-25. Cleanup efforts included the removal of the leaking USTs, excavation of 350 cubic yards of soil, and pumping 5,500 gallons of residual mixed petroleum/water emulsion out of the excavation pit for disposal off-site. Six out of the nine excavation perimeter soil samples exceeded the NJDEP 1,000 mg/kg additional analysis trigger for diesel fuel impacted soil. Groundwater was encountered between 2 and 5 feet below ground surface (ft bgs). These efforts are documented in the attached *Underground Storage Tank and Piping Closure and Corrective Action Report*, TTI Environmental, Inc., dated September 1995.

Additional soil sampling was conducted in February 1996 to vertically and horizontally delineate TPHC, lead, VOC, and SVOC contamination. Twenty-five soil samples were collected in the vicinity of previous perimeter samples and either downgradient of the excavation or in the former location of the piping. No VOC or SVOC concentrations were detected. Detected lead concentrations ranged from 49 mg/kg to 310 mg/kg. Twenty-one soil samples located either downgradient of the excavation or in the location of the

piping had detected TPHC concentrations that ranged between 71 mg/kg and 5,300 mg/kg. Soil sample locations are shown in Figure 3 AOC 1 Sample Locations provided in *Remedial Action Workplan* prepared by GZA GeoEnvironmental, Inc., and dated March 2018.

In February 1996 monitoring wells (MW-1 through MW-6) were installed around the excavated USTs, existing USTs, and dispenser island associated with AOC-1. Trace oily sheen conditions were observed when developing MW-2 and MW-3. These efforts are documented in the attached *Remedial Investigation Report/Remedial Action Workplan*, TTI Environmental, Inc. dated July 1996. Monitoring well locations are shown in Figure 3 AOC Location Plan provided in *Remedial Action Report – Addendum #1: AOC 6* prepared by GZA GeoEnvironmental, Inc., and dated August 2020.

In November 1996, a six-inch diameter free product recovery system (FPRS) well (REC-1) was installed downgradient of the USTs associated with AOC-1, adjacent to MW-3, due to the observed contamination within the excavation. Free product in REC-1 was measured to be 0.19 feet thick during the November 1996 well installation. Between the November 1996 installation and January 1997, the FPRS had removed 500 gallons of water/emulsified product with 45 gallons of emulsified product recovered. In January 1997, the product thickness in REC-1 was estimated to be less than 0.05 ft. It was estimated the free product radius extended 10 feet around REC-1.

In November and December 1996 two monitoring wells (MW-7 and MW-8) were installed. Groundwater samples were analyzed for VOCs, SVOCs, and total lead. Minimal product was observed on absorbent socks placed in two monitoring wells (MW-2 and MW-3). No measurable free product was observed in these two monitoring wells. Bis(2-ethylhexyl) phthalate was detected above the applicable NJDEP standards in one monitoring well (MW-3). Benzene was detected above applicable NJDEP standards one monitoring well (MW-4). Monitoring well MW-3 is located along the downgradient corner of the former UST field and MW-4 is located upgradient of the UST field. No product nor concentrations above the respective NJDEP standards were detected in the remaining six monitoring wells.

In December 1996, five surface soil samples were collected from the Property and adjoining properties. Soil sample concentrations for lead ranged between 13.2 mg/kg and 4,070 mg/kg. Based on the scattered hot spot locations and field observations, lead exceedances were found to be related to historic fill and not the USTs. TTI stated the facility planned to keep the FPRS in operation and to initiate groundwater sampling upon the absence of measurable free product. These efforts are documented in the attached in the *Remedial Investigation Report/Remedial Action Workplan Addendum*, TTI Environmental, Inc. dated January 1997.

In November 1999, TTI reported that free product in wells surrounding REC-1 was limited to MW-3, which was reported to contain a thickness of 0.25 to 0.5 inch of free product. In April 1999, groundwater samples were collected from MW-4 and MW-8 to be analyzed for total lead (MW-8) and benzene (MW-4). The concentration of benzene in MW-4 was 4.44 µg/L and total lead was not detected in MW-8. A Baseline Ecological Evaluation (BEE) was conducted at the Property. It was concluded that dissolved phase petroleum hydrocarbon levels above the NJDEP-GWQS are not leaving the Property or the vicinity of AOC 1 and the Property conditions did not warrant an Ecological Remedial Investigation. These efforts are

documented in the attached *Remedial Action Workplan Addendum*, TTI Environmental, Inc. dated November 1999.

During a groundwater sampling event, separate phase product was observed in MW-2. In February and October 2004, VAC extraction events were conducted on MW-2. During the February 2004 and October 2004 extraction events, 0.04 feet and 0.016 feet of product was removed from MW-2, respectively.

In January 2005, eight temporary well points were installed within the dispenser area to assess the presence of free product observed in MW-2. Free product was observed in two well points (WP-G and WP-H); however, thickness could not be measured. Six soil samples were collected from these locations and analyzed for TPHC. Two of the six samples (WP-H and PI-3) exceeded the NJDEP further action level of 1,000 mg/kg with concentrations of TPHC at 17,530 mg/kg and 11,420 mg/kg, respectively. Soil samples were subsequently analyzed for VOs. VO concentrations were not detected above the NJDEP-SCC. Analytical results with respect to sample locations are shown in Figure 3 AOC 1 Sample Locations provided in *Remedial Action Workplan* prepared by GZA GeoEnvironmental, Inc., March 2018.

In March 2005, monitoring wells MW-2, MW-3, and REC-1 were abandoned. In April 2005, the five remaining 20,000-gallon USTs in AOC were cleaned and removed from the Property. Fifteen post excavation samples were collected from the open excavation. TPHC concentrations were below the NJDEP action level of 1,000 mg/kg in soil samples collected. Ten additional samples were collected from the excavation perimeter to delineate and extend the excavation. Analytical results with respect to sample locations are shown in Figure 9 AOC 1 Soil Concentrations provided in *Remedial Action Workplan* prepared by GZA GeoEnvironmental, Inc., and dated March 2018.

In April and May 2005 approximately 774 tons, including 350 tons stockpiled on-site during the 1995 excavation and were removed from the property for disposal. These efforts are documented in the attached *Underground Storage Tank and Fuel Island Closure Report*, TTI Environmental, Inc. dated October 2005.

In January/February 2008 soil samples were collected to further delineate impacts at the fuel dispenser island (AOC-1). Vertical delineation samples contained no detectable TPHC DRO and the horizontal delineation samples revealed one detection of TPHC. Analytical results with respect to sample locations are shown in Figure 9 AOC 1 Soil Concentrations provided in *Remedial Action Workplan* prepared by GZA GeoEnvironmental, Inc., March 2018. These efforts are documented in the attached in the *Soil Remedial Investigation Report*, TTI Environmental, Inc. dated May 2008.

In December 2018, additional Investigation was conducted by GZA at this Property to evaluate impacts to soils and groundwater related to AOC-1 through AOC-6. Nine soil borings were installed to collect soil samples and two rounds of groundwater sampling were conducted. Results indicated that impacts to soil are related to the presence of historic fill and AOC-1, AOC-2, AOC-3 could be closed.

<u>AOC 2 and AOC 3</u>

On December 23, 1998, visible impacts were observed during UST removal activities (AOC 3 – Maintenance Garage Waste Oil and New Motor Oil USTs) and reported the release to NJDEP and was assigned the case number 98-12-23-1034-32. On January 4, 1999, the 3,000-gallon No. 2 fuel oil UST (AOC 2) was closed in place, because it was encased in concrete, and the other two tanks associated with AOC 3 were removed. Due to their proximity to one another on the Property, AOC 2 and AOC 3 were combined as one work area.

Because the tank (AOC 2) was encased in concrete, TTI was unable to collect samples through the UST shell and collected four soil samples around the perimeter of the UST in January 1999. The four samples were analyzed for TPHC and two of these samples were also analyzed for VO+10 and base neutrals (B/N+15). TPHC concentrations ranged between 420 mg/kg and 12,520 mg/kg. One soil sample had a concentration of benzo(a)pyrene of 0.796 mg/kg, slightly above the NJDEP SCC of 0.66 mg/kg.

Approximately 30 tons of visibly contaminated soil were excavated and staged on-site on poly sheeting. Six sidewall samples were collected from the excavation. Groundwater was present within the excavation. Concentrations of TPHC in the sidewall samples ranged between 500 mg/kg and 13,800 mg/kg. Additional soil borings were advanced around the excavation of AOC-3. The soil samples from the boring had TPHC concentrations ranging from 317 mg/kg to 3,603 mg/kg. In addition to TPHC, two soil samples were analyzed for VOCs and Priority Pollutant (PP) metals. One soil sample had exceedances of the NJDEP SCC for arsenic (24.74 mg/kg), lead (955.70 mg/kg), copper (697 mg/kg), and PCBs (0.885 mg/kg), which are attributable to historic fill (AOC 5) at the property.

TTI concluded the remnant soil contaminant concentrations of metals, PAHs and PCBs were associated with historic fill material and did not require active soil remediation based on TTI's proposal for establishing an environmental deed notice, which was approved by NJDEP, covering historic fill materials. These efforts are documented in the attached in the *Underground Storage Tank Closure Remedial Investigation Report*, TTI Environmental, Inc. dated March 2000.

In January 2001, TTI Installed two additional monitoring wells (MW-9 and MW-10) in the vicinity of AOC 2 and AOC 3.

In April and May 2005 approximately 30 tons from the 2000 excavation were transported off-Site for final disposal. These efforts are documented in the attached in the *Underground Storage Tank and Fuel Island Closure Report*, TTI Environmental, Inc. dated October 2005.

In January/February 2008, soil samples were collected to further evaluate AOC-2 including additional vertical delineation with analysis of VO+10, B/N+15, PCBs, and PPL Metals; additional analyses of four previous sample locations for PCBs, arsenic, and lead. Results were compared to the NJDEP NRDCSCC and/or IGW. Results from the sampling event were consistent with the observation that historic fill exists from the surface to depths of approximately 7.5 feet bgs across the Property. Analytical results with respect to sample locations are shown in Figure 10 AOC 2 and AOC 3 Soil Concentrations provided in *Remedial Action Workplan* prepared by GZA GeoEnvironmental, Inc., and dated March 2018. These efforts are documented in the attached in the *Soil Remedial Investigation Report*, TTI Environmental, Inc. dated May 2008.

In December 2018, additional Investigation was conducted by GZA at this Property to evaluate impacts to soils and groundwater related to AOC-1 through AOC-6. Nine soil borings were installed to collect soil samples and two rounds of groundwater sampling were conducted. Results indicated that impacts to soil are related to the presence of historic fill and AOC-1, AOC-2, AOC-3 could be closed.

AOC 4

During November and December 2003, a 15,000-gallon single-wall steel heating oil No. 4 tank located in the northwestern corner of the terminal building in a basement vault (AOC 4) was closed at the Property. The UST was mounted on saddles and the vault was filled with sand. The UST and approximately 150 cubic yards of impacted sand/soil from the vault were removed. The UST was described as severely corroded with visible holes ½-inch to 4 inches in diameter; however, upon inspection TTI was not able to identify a possible pathway for contamination to leave the vault. These efforts are documented in the attached in the *Underground Storage Tank Closure Report*, TTI Environmental, Inc. dated November 2005.

In December 2018, additional Investigation was conducted by GZA at this Property to evaluate impacts to soils and groundwater related to AOC-1 through AOC-6. Based on an inspection by GZA, it was concluded that AOC-4 was no longer a concern as potential pathways for release of heating oil do not exist.

AOC 5

In September 1998, TTI prepared a RAW Addendum concerning the historic fill (AOC-5). In June 1998 eleven background soil samples were collected. The background soil samples were analyzed for PAHs and total lead. Ten of the eleven background soil samples had concentrations above the NRDCSCC and/or IGW for lead. These efforts are documented in the attached *Remedial Action Workplan Addendum*, TTI Environmental, Inc. dated September 1998.

In December 2018, additional Investigation was conducted by GZA at this Property to evaluate impacts to soils and groundwater related to AOC-1 through AOC-6. Nine soil borings were installed to collect soil samples and two rounds of groundwater sampling were conducted. Results indicated that impacts to soil are related to the presence of historic fill and AOC-1, AOC-2, AOC-3 could be closed. A Remedial Action Permit (RAP) was submitted to address historic fill (AOC 5) and EPH at the Property. Soil analytical results ae shown in Figure 4 Summary of Soil Analytical Data presented in *Remedial Action Report for AOC-1, AOC-2, AOC-3, AOC-4, and AOC-5*, GZA GeoEnvironmental, Inc., October 2019.

AOC 6

In February 1996, six monitoring wells (MW-1 through MW-6) were installed in the vicinity of for former UST field (AOC 1). Trace oily sheen conditions were observed when developing MW-2 and MW-3. The SVOCs bis(2-ethylhexyl) phthalate, benzo[a]pyrene, benzo[b]fluoranthene, 2-methylnaphthalene, fluorene, and phenanthrene were detected in several groundwater samples. Benzene and styrene (a gasoline constituent) were detected in one monitoring well (MW-4). TTI concluded that the contaminant plume was contained onsite. Iron, lead, and manganese were detected above secondary drinking water standards. Lead was above primary drinking water standards. Based on the data, lead concentrations

above the primary drinking water standard were believed to be related to historic fill material at the Property. Iron and manganese only exceeded secondary drinking water standards which are based on aesthetics (color, odor, taste) These efforts are documented in the attached in the *Remedial Investigation Report/Remedial Action Workplan*, TTI Environmental, Inc. dated July 1996. Monitoring well locations are shown in Figure 3 AOC Location Plan provided in *Remedial Action Report – Addendum #1: AOC 6* prepared by GZA GeoEnvironmental, Inc., and dated August 2020. A classification exception area has been established for contaminants related to historic fill at the Property.

In November and December 1996 two monitoring wells (MW-7 and MW-8) and REC-1 were installed on the Property. Groundwater samples were analyzed for VOCs, SVOCs, and total lead. Minimal product was observed on absorbent socks placed in two monitoring wells (MW-2 and MW-3). No measurable free product was observed in these two monitoring wells. Bis(2-ethylhexyl) phthalate was detected above the applicable NJDEP standards in one monitoring well (MW-3). However, bis(2-ethylhexyl) phthalate, a common plasticizer, is not associated with operations such as those conducted by USF at the Property and is not known to have been handled, stored, used or disposed by USF at this Property. Bis(2-ethylhexyl)phthalate is also commonly detected as a laboratory or sampling artifact if certain plastics are used in sampling or analytical processes. Benzene was detected above applicable NJDEP standards in one monitoring well (MW-4). Monitoring well MW-3 is located along the downgradient corner of the former UST field and MW-4 is located upgradient of the UST field. No product nor concentrations above the respective NJDEP standards were detected in the remaining six monitoring wells.

In April 1999, groundwater samples were collected from MW-4 and MW-8 to be analyzed for total lead (MW-8) and benzene (MW-4). The concentration of benzene in MW-4 was 4.44 µg/L and total lead was not detected in MW-8.

In January 2001, TTI Installed two additional monitoring wells (MW-9 and MW-10) in the vicinity of AOC 2 and AOC 3. In May 2005, monitoring well MW-11 was installed downgradient of AOC 2 and AOC 3 and MW-12 was installed downgradient of the former fuel dispenser and associated USTs (AOC 1). In June 2005, monitoring wells MW-2A and MW-3A were reinstalled upon the removal of the dispenser island and five 20,000-gallon USTs.

In April 2007, TTI prepared a Remedial Investigation Report concerning the groundwater issues (AOC-6) at the Property. The 2007 RIR presented analytical results from two rounds of groundwater sampling events, one occurring in May and the second in October/November 2006, in an effort to establish a CEA and well restriction area (WRA) for the Property. In May 2006, TTI sampled seven monitoring wells (MW-2A, MW-3A, MW-4, MW-5, MW-10, MW-11 and MW-12) for VOCs and B/N compounds. During the October/November round, eight monitoring wells were sampled (MW-2A, MW-3A, MW-4, MW-5, MW-8, MW-10, MW-11 and MW-12). Results of the sampling events revealed concentrations above the NJDEP GWQS for lead in three wells (MW-4, MW-8, and MW-10); benzene in one well (MW-4); and several PAHs in one well (MW-11). None of these wells are considered downgradient wells in relation to the former UST fields.

A CEA was proposed for benzene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(a)pyrene, and chrysene. Contaminant transport model summaries were completed for the five constituents; however, benzene was identified as the single mobile constituent. According to the model, TTI found that benzene would travel 1.2 feet before degrading below the NJDEP GWQS of 1 µg/l. For the remaining for PAH constituents, TTI found that they would degrade in place. The report recommended that biennial CEA certifications be conducted until all constituents are below the GWQS and the CEA could be terminated. These efforts are documented in the attached *Remedial Investigation Report*, TTI Environmental, Inc. dated April 2007.

A groundwater sampling event was conducted by GZA in December 2018. Benzene was not detected in groundwater during this sampling event; however, there was a presence of free product in one monitoring well (MW-9). An updated CEA was prepared for groundwater at the property due to detections of PAHs and metals, which are likely due to the presence of historic fill. Bis(2-ethylhexyl)phthalate was detected in monitoring well MW-9, MW-10 and downgradient wells MW-4, MW-6, MW-8R, and MW-13, but is not associated with the types of activities conducted by USF at this Property (i.e. freight warehousing and trucking) and is not known to have been stored, handled or disposed by USF at the Property. Bis(2-ethylhexyl)phthalate is also a common artifact of sampling and laboratory analysis. These sampling and analytical efforts are documented in the attached *Remedial Action Report* for AOC-1, AOC-2, AOC-3, AOC-4, and AOC-5, prepared by GZA GeoEnvironmental, Inc., dated October 2019.

In December 2019 and March 2020, groundwater samples were collected to evaluate the presence of free product historically observed in one monitoring well. Free product was identified in monitoring well MW-9 during both the December 2019 and March 2020 sampling events, but at thicknesses that could not be measured. The groundwater sampling program was discontinued in accordance with NJDEP Sheen Remediation Guidance as free product detected was a result only of a small sheen less than 0.25mm thick. As indicated above, remaining groundwater impacts at the Property are related to the presence of historic fill. See the attached *Remedial Action Report* – Addendum #1: AOC 6, prepared by GZA GeoEnvironmental, Inc., dated August 2020.

***Please include with your answer to this question:***

***a) Any documentation, information, and sampling data for any underground storage tanks ("USTs") located at the Property and identify the contents of each UST;***

Subject to and without waiving any of its General Objections, information and documentation related to USTs and their contents, as described above, is provided in the documents listed below. The former locations of the USTs are shown on Figure 2 Site Plan provided in *Remedial Action Report – Addendum #1: AOC 6* prepared by GZA GeoEnvironmental, Inc., and dated August 2020.

- Underground Storage Tank and Piping Closure and Corrective Action Report, TTI Environmental, Inc., September 1995
- Remedial Investigation Report/Remedial Action Workplan – TTI Environmental, Inc. July 1996
- Remedial Investigation Report/Remedial Action Workplan Addendum – TTI Environmental, Inc. January 1997

- Remedial Action Workplan Addendum – TTI Environmental, Inc. September 1998
- Remedial Action Workplan Addendum – TTI Environmental, Inc. November 1999
- Remedial Action Report/Response Action Outcome Report, TTI Environmental, Inc., April 2005[1]
- Underground Storage Tank Closure & Remedial Investigation Report, TTI Environmental, Inc., March 2000
- Soil Disposal Report, TTI Environmental, Inc., October 2005
- Underground Storage Tank and Fuel Island Closure Report, TTI Environmental, Inc., October 2005
- Groundwater Remedial Investigation Report, TTI Environmental, Inc. October 2005
- Underground Storage Tank Closure Report, TTI Environmental, Inc., November 2005
- Remedial Investigation Report: 2006 Groundwater Assessment Activities, TTI Environmental, Inc., April 2007
- Soil Remedial Investigation Report, TTI Environmental, Inc., May 2008
- Remedial Action Report, TTI Environmental Inc., July 2016
- Remedial Action Workplan, GZA GeoEnvironmental, Inc. March 2018
- Remedial Action Report for AOC-1, AOC-2, AOC-3, AOC-4, and AOC-5, GZA GeoEnvironmental, Inc., October 2019
- Quarterly Groundwater Monitoring – 4th Quarter 2019, GZA GeoEnvironmental, Inc., March 2020
- Quarterly Groundwater Monitoring – 1st Quarter 2020, GZA GeoEnvironmental, Inc., April 2020
- Remedial Action Report – Addendum #1: AOC 6, GZA GeoEnvironmental, Inc., August 2020

***Please include with your answer to this question:***

***b) Any documentation, information, and sampling data for historic fill found and/or utilized at the Property***

Subject to and without waiving any of its General Objections, information and documentation related to historic fill at the Property, as described above, is provided in the documents listed below.

- Remedial Investigation Report/Remedial Action Workplan Addendum – TTI Environmental, Inc. January 1997
- Remedial Action Workplan Addendum – TTI Environmental, Inc. September 1998
- Underground Storage Tank Closure & Remedial Investigation Report, TTI Environmental, Inc., March 2000
- Soil Remedial Investigation Report, TTI Environmental, Inc., May 2008
- Remedial Action Report, TTI Environmental Inc., July 2016
- Remedial Action Report for AOC-1, AOC-2, AOC-3, AOC-4, and AOC-5, GZA GeoEnvironmental, Inc., October 2019

***Please include with your answer to this question:***

***c) The federal, state, and/or local authority under which such investigations and/or remediation were carried out, and whether a Licensed Site Remediation Professional or other environmental professional was engaged in connection with the work.***

[1] Based on the dates of events and information contained within this report, it is likely the date of this report is incorrect and should reflect its publication of April 2015.

Subject to and without waiving any of its General Objections, USF states that from 1994 to 2011, investigations and remediation at this Property were conducted under the oversight of the New Jersey Department of Environmental Protection (NJDEP). Beginning in 2011, further investigation/remediation was completed under the supervision of a Licensed Site Remediation Professional in accordance with the New Jersey Title 58, Waters and Water Supply, Chapter 10C, Site Remediation Professional Licensing and Regulation. Investigations and remediation between 2011 and 2017 were conducted by Perry J. Refolo, CPG, LSRP, PAPG (LSRP # 573650) of TTI Environmental Inc. Investigation and remediation from 2017 to present have been and are being conducted under the supervision of John J. Oberer (LSRP #576679).

***4. Please describe USF's business operations at the Property.***

Subject to and without waiving any of its General Objections, USF states that its Property operated as a freight trucking terminal. Operations included loading and unloading of freight, truck fueling, and truck and trailer maintenance.

a) **Did USF perform any truck repairs on-site at the property? If so, describe the types of repairs including materials used, disposed of, and recycled.**
   USF objects this Request as calling for a legal conclusion with respect to the meaning of "disposed of" and "recycled." Subject to and without waiving these and its General Objections, USF states that minor truck repairs and maintenance were performed onsite, including oil changes, lubrication, fueling, tire repairs and replacement. Based upon USF's known historical practices and operations, the materials used would have included motor oil, diesel fuel, gasoline, antifreeze, grease, and minor amounts of other lubricants. Similarly, USF believes that motor oil, antifreeze or used crankcase oil would have been collected then sent offsite to a licensed facility for disposal or recycling.
b) **Did USF utilize anti-freeze at any time during its operations at the Property? If so, how was the anti-freeze stored and disposed of?**
   USF objects this Request as calling for a legal conclusion with respect to the meaning of "disposed of." Subject to and without waiving these and its General Objections, USF states that based upon its prior known operations, it is likely anti-freeze was stored in small quantities and used at the facility during its operation as a trucking terminal. Anti-freeze would have been stored in manufacturer's containers within the garage building. To the extent necessary, any used/waste antifreeze would have been disposed of off-site at a licensed disposal or recycling facility.

***5. Did USF or any prior owner receive, utilize, manufacture, discharge, release, store or dispose of any materials containing any of the following substances at the Property:***

USF objects this Request as calling for a legal conclusion with respect to the meaning of "discharge, release ... [and] dispose of." Subject to and without waiving this and its General Objections, USF states that other than soils, liquids and other investigation derived waste (IDW) disposed during the remediation described above, only the materials identified below were used at the Property. Because of the known industrial nature of this area of Newark and presence of historic fill/diffuse anthropogenic pollution in the subsurface soils and liquids, the IDW disposed as part of the remediation of the Property may have included small amounts of some of the contaminants listed below, specifically metals and PAHs. Those

known chemicals that were routinely used or stored at the Property are identified below along with the products/materials which contain them. USF has no knowledge of operations conducted at the Property prior to its ownership of the Property.

a) **1, 1- Dichloroethane (Yes/No)?** No.
b) **1, 1, 1- Trichloroethane (Yes/No)?** No.
c) **2, 3, 7, 8 – tetrachlorodibenzo-p-dioxin (Yes/No)?** No.
d) **Other dioxin compounds (Yes/No)?** No.
e) **Aldrin (Yes/No)?** No.
f) **Antimony (Yes/No)?** No.
g) **Arsenic (Yes/No)?** No.
h) **Benzene (Yes/No)?** Yes, as a constituent of heating oil, diesel fuel and gasoline used to fuel trucks and heat buildings at the Property.
i) **Cadmium (Yes/No)?** No.
j) **Chromium (Yes/No)?** No.
k) **Chlordane (Yes/No)?** No.
l) **Dichloro-diphenyl-trichloroethane (DDT) (Yes/No)?** No.
m) **Dieldrin (Yes/No)?** No.
n) **Ethyl benzene (Yes/No)?** Yes, as a constituent of heating oil, diesel fuel and gasoline used to fuel trucks and heat buildings at the Property.
o) **Iron (Yes/No)?** No.
p) **Lead (Yes/No)?** Yes, as a constituent of leaded gasoline used to fuel trucks at the Property.
q) **Lindane (Yes/No)?** No.
r) **Manganese (Yes/No)?** No.
s) **Mercury (Yes/No)?** No.
t) **Naphthalene (Yes/No)?** Yes, as a constituent of heating oil, gasoline and diesel fuel used to fuel trucks and heat buildings at the Property.
u) **Other volatile organic compounds (VOCS) (Yes/No)? If "Yes," please list the specific compounds.** Yes; 1,2,4-Trimethylbenzene, 4- Isopropylbenzene, 1,3,5-Trimethylbenzene, Isopropylbenzene, tert-butylbenzene, SEC-butylbenzene, n-propylbenzene, n-butylbenzene, styrene as constituents of heating oil, gasoline and/or diesel fuel used to fuel trucks and heat buildings at the Property.
v) **Other semi-volatile organic compounds (SVOCs) (Yes/No)? If "Yes," please list the specific compounds.** Yes; acenaphthalene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo(a)anthracene, chrysene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(a)pyrene, indeno(1,2,3-cd)pyrene, dibenzo(a,h)anthracene, benzo(g,h)perylene as constituents of gasoline, diesel fuel and/or heating oil used to fuel trucks and heat the buildings on the Property.
w) **Pentachlorophenol (Yes/No)?** No.
x) **Perfluorooctanoic acid (PFOA) (Yes/No)?** No.
y) **Perfluorooctanesulfonic acid (PFOS) (Yes/No)?** No.
z) **Other Per- and polyfluoralkyl substances (PFAS) (Yes/No)?** No.
**aa) Polyaromatic Hydrocarbons (PAHs) (Yes/No)? If "Yes," please list the specific compounds.** Yes; acenaphthalene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo(a)anthracene, chrysene, benzo(b)fluoranthene,

benzo(k)fluoranthene, benzo(a)pyrene, indeno(1,2,3-cd)pyrene, dibenzo(a,h)anthracene, benzo(g,h)perylene as constituents of heating oil, gasoline and/or diesel fuel used the heat buildings and fuel trucks at the Property.

**bb) Polychlorinated biphenyls (PCBs) (Yes/No)? If "Yes," please list the specific Aroclors or other formulations.** No.

**cc) Silver (Yes/No)?** No.

**dd) Toluene (Yes/No)?** Yes, as a constituent of heating oil, gasoline and/or diesel fuel used to heat building and fuel trucks at the Property.

**ee) Total Petroleum Hydrocarbons (TPH) (Yes/No)?** Yes.

**ff) Vinyl Chloride (Yes/No)?** No.

**gg) Xylenes (Yes/No)?** Yes, as a constituent of heating oil, diesel fuel and gasoline used to fuel trucks and heat buildings at the Property.

**hh) Zinc (Yes/No)?** No.

***6. Regarding USF's use of the Property:***

***a)* Please describe any manufacturing processes that generated hazardous substances, pollutants or contaminants, including, but not limited to, the substances identified in your response to question 5.**

USF objects this Request as calling for a legal conclusion with respect to the meaning of "hazardous substances, pollutants or contaminants." Subject to and without waiving this and its General Objections, USF states it did not conduct manufacturing at the Property. USF has no knowledge of operations at the Property prior to its ownership .

***b) For any processes identified in response to question 6(a), during which parts of the manufacturing process were the hazardous substances, pollutants or contaminants generated?***

See Response to 6(a) above.

***c) Please identify the hazardous substances, pollutants or contaminants used in each process.***

- ***For each process, what amount of hazardous substances, pollutants or contaminants was generated per volume of finished product?***
- ***Were these hazardous substances, pollutants or contaminants combined with wastes from other processes? If so, please identify such wastes and the other processes***

See Response to 6(a) above.

***7. Describe any methods of collection, storage, treatment, and disposal of all hazardous substances, pollutants or contaminants at the Property utilized by USF, including, but not limited to, the substances identified in your responses to questions 5 and 6.***

USF objects this Request as calling for a legal conclusion with respect to the meaning of "hazardous substances, pollutants, or contaminants" as well as "treatment" and "disposal." Subject to and without waiving this and its General Objections, USF states that based upon its known past practices, no

substances were manufactured, treated, or disposed of at the Property. Petroleum previously stored in USTs, and which have since been closed and/or removed from the Property, include:

- Diesel Fuel: Five 20,000-gallons USTs, three 4,000-gallon USTs, and three 1,000-gallon UST;
- Gasoline: Six 1,000-gallon USTs;
- No. 2 Fuel Oil: One 3,000-gallon UST;
- No. 4 Fuel Oil: One 15,000-gallon UST;
- Motor Oil: One 2,000-gallon UST; and
- Waste oil: One 1,000-gallon UST.

Additional petroleum products including new and waste motor oil, automotive lubricants, etc., were likely stored in small quantities within the truck maintenance building and dispensed as needed. Based on past practices, used vehicular crankcase oil would have been collected directly from engine crankcases into drain pans and then transferred to the on-site waste oil UST, which would then be removed by a vendor for off-site recycling.

Impacted soil and asphalt excavated from former UST remediation excavations were transported and sent to the following facilities:

- 20 cubic yards of asphalt (See UST Closure Report, TTI Environmental, Inc., Sept 1995)
- Approximately 1,895 tons – (See Soil Disposal Report, TTI Environmental, Inc., October 2005 and Underground Storage Tank Closure Report, TTI Environmental, Inc., November 2005)
- 566 tons of asphalt debris – (See Soil Disposal Report, TTI Environmental, Inc., October 2005 and Underground Storage Tank Closure Report, TTI Environmental, Inc., November 2005)
- 804 tons of soil – (See UST and Fuel Island Closure Report, TTI Environmental, Inc., October 2005)

Other petroleum related materials removed from the Property:

- 5,500 gallons used fuel/Motor oil - (See UST Closure Report, TTI Environmental, Inc., Sept 1995)
- 55-gallon drums of residual product – pumped by USF's regular disposal company (See documented in Underground Storage Tank Closure and Remedial Investigation Report, TTI Environmental, March 2000).
- 25 gallons oily water – (See documents provided in UST and Fuel Island Closure Report, TTI Environmental, Inc., October 2005)
- 638 gallons oily water – (See documents provided in UST and Fuel Island Closure Report, TTI Environmental, Inc., October 2005)
- 4,075-gallons oily water – (See documents provided in Groundwater Remedial Investigation Report, TTI Environmental, Inc., October 2005)
- Residual No. 4 Fuel Oil – (See documents provided in Underground Storage Tank Closure Report, TTI Environmental, Inc., November 2005)

***8. Were any hazardous substances, pollutants or contaminants, including, but not limited to, the substances identified in your responses to questions 5 and 6, above, disposed of in or discharged to Pierson's Creek including its unnamed tributaries by USF? If yes, identify the substances, estimate the amount of material discharged to or disposed of in Pierson's Creek including its tributaries, the location of the discharges/disposals, and the frequency with which such discharges or disposals occurred. Please***

***provide the results of any sampling of the Creek or unnamed tributaries which may have been done after any discharge or disposal.***

USF objects this Request as calling for a legal conclusion with respect to the meaning of "hazardous substances, pollutants or contaminants" and "disposed of in or discharged to." Subject to and without waiving these and its General Objections, USF states that other no substances, including petroleum or fractions thereof, are known to have entered Pierson's Creek or its tributaries as a result of USF's operations. Fate and transport evaluation of constituents detected in groundwater conducted by TTI concluded that the contaminant plume, including any free product or dissolved phase constituents, remained onsite. A Baseline Ecological Evaluation was conducted in November 1999 and concluded that free phase or dissolved petroleum hydrocarbon levels above the NJDEP-GWQS are not leaving the Property.

***9. Please identify any leaks, spills, explosions, fires or other incidents of accidental material discharge that occurred at the Property during which or as a result of which any hazardous substances, pollutants or contaminants, including, but not limited to, the substances identified in your responses to questions 5 or 6, were released on the Property, into the waste water or storm drainage system at the Property, or to Pierson's Creek including its unnamed tributaries. Provide any documents or information relating to these incidents, including the ultimate disposal of any contaminated materials. If available, please provide the results of any sampling of the soil, water, air or other media after any such incident and before and after clean-up.***

USF objects this Request as calling for a legal conclusion with respect to the meaning of "hazardous substances, pollutants or contaminants," "release" and "disposal." Subject to and without waiving these and its General Objections, USF states impacts to soil and groundwater were observed as a result of gasoline and diesel fuel USTs, a new motor oil UST, and a waste oil UST (some of which leaked) between 1994 and 1999. A total of 75 soil samples were collected to evaluate and delineate impacts associated with leaking USTs and 37 soil samples were collected to evaluate the impacts associated with the motor oil (new and waste) USTs. A total of eight temporary monitoring wells and thirteen permanent monitoring wells were installed between 1995 and 2018 to evaluate impacts to groundwater.

A six-inch FPRS well was installed downgradient of former leaking USTs. By January 1999, the FPRS was reported to have removed 10,000 gallons of product/water mixture (estimated to be approximately 40% free product and 60% water). Approximately 804 tons of impacted soil associated with the leaking USTs were removed from the Property by 2005.

Results of these investigations concluded that the contaminant plume was contained onsite. Remaining impacts at the Property, specifically lead and PAHs, were determined to be a result of historic fill and/or diffuse anthropogenic pollution. A Baseline Ecological Evaluation (BEE) was conducted at the Property and concluded that dissolved phase petroleum hydrocarbon levels above the NJDEP Groundwater Quality Standards are not leaving the Property and the Property conditions did not warrant an Ecological Remedial Investigation.

None of the leaks, spills or incidents identified above are known to have contaminated any wastewater, storm drainage, Pierson's Creek or its tributaries. USF has no record of fires or explosions at the Property.

***10. Did the Property ever flood while it was owned or occupied by USF. If so, how often did the flooding occur on the Property? Have storm sewer back-ups occurred at the Property, and/or did Pierson's Creek or its unnamed tributary overflow their banks onto the Property.***

Subject to and without waiving its General Objections, USF is unaware of any flooding of, storm sewer backups at or overflow of the creek or tributary onto the Property during its ownership or occupation of the Property.

***10. If you have any reason to believe that there are persons who may be able to provide a more detailed or complete response to any question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.***

Subject to and without waiving its General Objections, USF is unaware of any such documents or persons.

***11. Is USF a successor to any liabilities, including those under CERCLA, of any other entity with respect to the Property? If so, please identify the other entity, the liabilities to which USF succeeded, and how USF succeeded to the identified liabilities. Please provide copies of any agreements or other records documenting the basis for your answer.***

USF objects to this Request as calling for multiple legal conclusions.

***13. Please provide all agreements or contracts, including but not limited to insurance policies, which may indemnify USF, and its present or past owners, operators, partners, and/or shareholders, with respect to any liability they be found to have under CERCLA for costs incurred by EPA to address releases and threatened releases of hazardous substances at the Site.***

***a) In responding to this request, please provide not only those insurance policies and agreements currently in effect, but also those that were in effect from the date USF began operations at, or acquired ownership of, the Property to the present.***

***b) If you have not retained such policies but have information concerning them, please provide the following information: (i) the name and address of the insurance company; (ii) policy number/account; (iii) the type of coverage provided under each policy; (iv) the commencement and expiration dates for each policy; (v) whether or not the policy contains a "pollution exclusion" clause; and (vi) whether the policy covers or excludes sudden, non-sudden or both types of accidents.***

USF objects to the term "Site" and this Request as calling for multiple legal conclusions. Subject to and without waiving these and its General Objections, USF states that following a diligent search, it has been unable to locate any copies of property, pollution, and/or casualty liability insurance policies that may have been in place during the time of its operations at the Property that might provide coverage for releases of hazardous substances at or emanating from the Property.

***14. Please provide a detailed description of any civil, criminal, or administrative proceedings against USF for violations of any local, state or federal laws or regulations relating to water pollution or hazardous waste generation, storage, transport, or disposal at or from the Property. Provide copies of all pleadings and depositions or other testimony given in these proceedings.***

USF objects to this Request as calling for a legal conclusion regarding the meaning of "hazardous waste generation, storage, transport or disposal." Subject to and without waiving this and its General Objections, USF is unaware of any proceedings against it for violations of environmental laws tied to the Property.

***15. Provide the name, address, telephone number, title, and occupation of the person(s) answering this Request for Information and state whether such person(s) has personal knowledge of the information provided in the responses. In addition, identify each person who assisted in any way in responding to the Request for Information and specify the question to which each person assisted in responding. Please include the names and addresses of former employees who were contacted to respond to any of the questions.***

USF objects to this Request as overbroad and as calling for private, personal information. Subject to and without waiving this and its other objections, USF states that its legal counsel, Susan Brice of the law firm of Nijman Franzetti, 10 South State Street, Chicago, IL assisted with the preparation of these responses and that the following USF and/or other employees with knowledge of the information contained herein are:

Ken Simons, Director of Equipment Services, 700 S. Waverly, Rd. Holland, MI 49423 addressed operational issues.

John Oberer and Jessica Stearns from GZA, 1515 Market Street, Suite 945, Philadelphia, PA 19102. GZA addressed contamination and remediation questions.

Ruben Byerley of YRC Enterprise Services, Inc., 10990 Roe Ave, Overland Park, KS 66211. Mr. Byerley addressed some of the corporate history.

**CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION**

State of: Kansas
County of: Johnson

I certify under penalty of perjury that I am authorized to respond on behalf of USF Red Star LLC, I have personally examined and am familiar with the information and all documents submitted in response to EPA's Request for Information, and based on my inquiry of those individuals immediately responsible for obtaining the information I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that USF Red Star LLC is under a continuing obligation to supplement this response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my response thereto should become known or available to me or USF Red Star LLC after submitting this response.

Executed on August 9, 2021

Ruben Byerley

NAME (print or type)

Manager - Environmental Services & Properties

TITLE (print or type)

Ruben Byerley

SIGNATURE